

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

BOBBY GUTIERREZ, as
Personal Representative of the Estate of
Robert P. Gutierrez,

Plaintiff,

v.

No. 1:21-cv-00073-KWR-SCY

UNI TRANS, LLC, UNITRANS, LLC, and
CEVA LOGISTICS U.S., Inc.,

Defendants.

ORDER DENYING MOTION FOR CONTEMPT

THIS MATTER comes before the Court upon Plaintiff's Motion for Contempt (**Doc. 112**). Having reviewed the parties' papers and the applicable law, the Court finds that the motion is **NOT WELL TAKEN**, and therefore is **DENIED**.

Plaintiff asserts he served a subpoena for production of documents on non-party Ryder Truck Rental Inc.. **Doc. 87**. Plaintiff alleged that Ryder failed to respond to the subpoena. *Id.* The Court issued an order directing Ryder to show cause why it should not be held in contempt of court for failure to respond to the subpoena. **Doc. 103**. Subsequently, Plaintiff requested that the Court find Ryder Truck Rental, Inc., in contempt of the Court's order to show cause. **Doc. 112**. Ryder responded on May 13, 2022, stating that it has given Plaintiff "all responsive documents in its possession..." **Doc. 122 at 1**. Plaintiff has not replied or disputed Ryder's representations to the Court. Therefore, the Court will quash the order to show cause and deny Plaintiff's Motion for Contempt.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE